

SERVICE DATE - LATE RELEASE AUGUST 30, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42060 (Sub-No. 1)

NORTH AMERICA FREIGHT CAR ASSOCIATION

v.

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

Decided: August 30, 2004

In a decision in this proceeding served August 13, 2004, the Board ordered the parties to discuss procedural matters and discovery by August 25, 2004, and to propose a joint procedural schedule by September 1, 2004.¹ In a joint motion for extension of time filed August 26, 2004, the North America Freight Car Association (NAFCA) and The Burlington Northern and Santa Fe Railway Company (BNSF) state that NAFCA and BNSF have conferred and have agreed to request an extension of the date by which the parties are to propose a joint procedural schedule until September 30, 2004. Counsel for intervenors National Industrial Transportation League and American Chemistry Counsel have indicated that they join in this request.

It appears that all parties agree to the extension request and that no will be prejudiced by granting it. Accordingly, the joint motion for extension of time will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The joint motion for extension of time is granted, and the parties are to propose a joint procedural schedule by September 30, 2004.

¹ The August 13, 2004 decision also embraced STB Docket No. 42060, North America Freight Car Association—Protest and Petition for Investigation—Tariff Publications of The Burlington Northern and Santa Fe Railway Company.

2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary